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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,870	02/08/2002	Paul Sagues	09172-0276032	8726

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EXAMINER

RAY, GOPAL C

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,870

Applicant(s)

SAGUES ET AL.

Examiner

Gopal C. Ray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-3, 12, 13, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 4-11 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 08 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-18 are presented for examination.
2. The drawings filed on 2/8/02 are approved by the USPTO draftsman. Direct any inquiries concerning drawing review by the USPTO draftsman to the Drawing Review Branch at (703) 305-8404.
3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Furthermore, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,938,754 issued to Edwards et al.

As per claim 1, the reference of Edwards et al. teaches "a module including (i) a first connector including a first plurality of connectors for connecting a first plurality of cables between said modules and a first plurality of devices; and (ii) directing apparatus responsive to an input signal from a control apparatus for causing said module to place any of a plurality of signals on any of a plurality of connector pins of said first plurality of connectors" in Figures 11, 13 and col. 3, line 37- col. 4, line 16.

As per claim 2, the reference of Edwards et al. teaches "a second connector apparatus for connecting a cable between said module and said control apparatus" in Fig. 11, elements 11, 70B and 72B.

As per claim 3, the reference of Edwards et al. teaches "said module further includes an internal signal source and said directing apparatus is further programmable to connect a signal from said internal signal source to a said connector pin" in col. 3, line 63 – col. 4, line 16.

As per claim 12, the reference of Edwards et al. teaches "a microprocessor" in col. 3, line 48.

As per claim 3, the reference of Edwards et al. teaches "a power supply" in Fig. 7, element 46.

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 16 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,938,754 issued to Edwards et al. in view of US Patent 5,905,249 issued to Reddersen et al.

As per claim 16, the claim is rejected for the same reasons as discussed in the rejection of claim 1 with the exception of the added limitation "said plurality of signal types includes frequency information". However, the above feature was well known to

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one of ordinary skill in the art at the time the invention was made as evidenced by Reddersen et al. The reference of Reddersen et al. teaches the feature in col. 5, lines 33-36. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the above feature in the system of Edwards et al. to obtain the claimed invention because that would allow the system of Edwards to use a suitable transmission mode already known in the art.

As per claim 17, the reference of Edwards et al. teaches "serial communication" in col. 5, lines 14-15.

8. Claims 14-15 are independent apparatus claims and are allowable over the prior art on record. The claims are allowable because they recite combination of various elements including the elements claimed in claim 1 in a particular way to become a control or testing system which the prior art on record does not teach or fairly suggest. Claims 4-11 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims are allowable over the prior art on record because of the following reasons: The examiner has done a thorough search and found no prior art that teaches or fairly suggests, inter alia, the added limitations such as "a plurality of distribution networks with each distribution network having a plurality of selectable paths leading to particular connector pin of the first connector apparatus, with each path for connecting a selected one of a plurality of signal types with a selected connector pin" (claim 4), etc. If applicant is aware of any better prior art than those are cited they are required to bring the prior art the attention of the examiner.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. The prior art submitted by applicant has been considered by the examiner and made of record in the file.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (703) 305-9647. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815. The new fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [mark.rinehart@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2100 receptionist whose telephone number is (703) 305-3900.

Gopal C. Ray
GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2300